

ENTERED

February 15, 2017

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

RODNEY TOW, TRUSTEE,

Plaintiff,

v.

CIVIL ACTION NO. H-14-3103

WELLINGTON YU,

Defendant.

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ORDER

Having carefully considered the Magistrate Judge's Memorandum and Recommendation dated January 30, 2017, the court is of the opinion that the Memorandum and Recommendation should be adopted by this court. It is, therefore, ORDERED that the Memorandum and Recommendation is ADOPTED by this court.

Defendant Wellington Yu's Motion for Summary Judgment (Docket Entry No. 67) is GRANTED as to plaintiff's claims under 11 U.S.C. §§ 542 and 549, and is DENIED as to plaintiff's claim for breach of fiduciary duty.

The parties are directed to appear for Docket Call at 3:00 p.m., on March 10, 2017, in Court Room 9-B, 9th Floor, United States Courthouse, 515 Rusk Avenue, Houston, Texas. The Joint Pretrial Order and motions in limine must be filed by March 3, 2017. Plaintiff is responsible for the timely filing of

the complete joint pretrial order. The court may address any pending motions and set the case for trial at Docket Call.

SIGNED at Houston, Texas, on this 15th day of February, 2017.



SIM LAKE
UNITED STATES DISTRICT JUDGE